

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3271 of 2019**

Arising Out of PS. Case No.-51 Year-2018 Thana- MAHILA P.S. District- Banka

AJAY JHA Son of Late Chunchun Jha @ Late Chunni Jha Resident of Village
- Baijudih, P.S.- Amarpur, Distt - Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Mukherjee

For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 13-09-2019 Heard learned counsel for the appellant and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for bail vide order dated 04.05.2019 passed by learned 1st Addl. Sessions Judge, Banka in Banka Mahila P.S. Case No. 51 of 2018 registered under Section 498A/34 of the Indian Penal Code, Sections 3/4 of the Dowry Prohibition Act and Sections 3(i)(z)(zc) of the SC/ST Act.

Appellant along with other named accused persons tormented the informant over dowry demand and



finally drove her out from the marital house snatching her belongings.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He happens to be uncle-in-law of the informant and he resides separately from the informant and her husband and he has no concern with their affairs. He also does not happen to be the beneficiary. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Slating the informant is said to have been made inside the house of the informant and not in public view, hence no offence under SC/ST Act is made out against the appellant. Parents-in-law of the informant has been enlarged on anticipatory bail by this Court. Appellant has no criminal antecedent and has been languishing in custody since 20.02.2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Banka in connection with



Banka Mahila P.S. Case No. 51 of 2018.

Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

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